

ARIZONA STATEHOOD URGED BY PRESIDENT

(Continued from page six.)

men. Very little of such investigation has been done in the past; but it is true that the work of the Secret Service agents was partly responsible for the indictment and conviction of a Senator in Oregon. I do not believe that it is in the public interest to protect criminals in any branch of the public service, and exactly as we have again and again during the past seven years prosecuted and convicted such criminals who were in the executive branch of the Government, so in my belief we should be given ample means to prosecute them if found in the legislative branch. But if this is not considered desirable a special exception could be made in the law prohibiting the use of the Secret Service force in investigating members of the Congress. It would be far better to do this than to do what actually was done and strive to prevent or at least to hamper effective action against criminals by the executive branch of the Government.

Postal Savings Banks.
I again renew my recommendation for postal savings banks, for depositing savings with the security of the Government behind them. The object is to encourage thrift and economy in the wage-earner and person of moderate means. In fourteen states the deposits in savings banks as reported to the Comptroller of the Currency amount to \$3,590,245,402, or 98.4 per cent of the entire deposits, while in the remaining 32 states there are only \$20,208,543, or 1.6 per cent, showing conclusively that there are many localities in the United States where sufficient opportunity is not given to the people to deposit their savings. The result is that money is kept in hiding and unemployed. It is believed that in the aggregate vast sums would be brought into circulation through the instrumentality of the savings banks. While there are only 143 savings banks reporting to the Comptroller there are more than 61,000 post-offices, 40,000 of which are money order offices. Postal savings banks are now in operation in practically all the great civilized countries with the exception of the United States.

Parcel Post.
In my last annual message I recommended the Postmaster-General's recommendation for an extension of the parcel post on the rural routes. The establishment of a local parcel post on rural routes would be to the mutual benefit of the farmer and the country storekeeper, and it is desirable that the routes, serving more than 15,000,000 people, should be utilized to the fullest practicable extent.

Education.
The share that the National Government should take in the broad work of education has not received the attention and the care it rightly deserves. The immediate responsibility for the support and improvement of our educational systems and institutions rests and should always rest with the people of the several states acting through their state and local governments, but the Nation has an opportunity in educational work which must not be lost and a duty which should no longer be neglected. The National Bureau of Education was established more than forty years ago. Its purpose is to collect and diffuse such information "as shall aid the people of the United States in the establishment and maintenance of efficient school systems and otherwise promote the cause of education throughout the country." This purpose in no way conflicts with the educational work of the States, but may be made of great advantage to the States by giving them the fullest, most accurate, and hence the most helpful information and suggestion regarding the best educational systems. The Nation, through its broader field of activities, its wider opportunity for obtaining information from all the States and from foreign countries, is able to do that which not even the richest States can do, and with the distinct additional advantage that the information thus obtained is used for the immediate benefit of all our people.

With the limited means hitherto provided, the Bureau of Education has rendered efficient service, but the Congress has neglected to adequately supply the bureau with means to meet the educational growth of the country. The appropriations for the general work of the bureau, outside education in Alaska, for the year 1909 are but \$87,500—an amount less than they were ten years ago, and some of the important items in these appropriations are less than they were thirty years ago. It is an inexcusable waste of public money to appropriate an amount which is so inadequate as to make it impossible properly to do the work authorized, and it is unfair to the great educational interests of the country to deprive them of the value of the results which can be obtained by proper appropriations.

I earnestly recommend that this unfortunate state of affairs as regards the national educational office be remedied by adequate appropriations. This recommendation is urged by the representatives of our common schools and great state universities and the leading educators, who all unite in requesting favorable consideration and action by the Congress upon this subject.

Census.
I strongly urge that the request of the Director of the Census in connection with the decennial work so soon to be begun, be complied with and that the appointments to the census

force be placed under the civil service law, waiving the geological requirement as requested by the Director of the Census. The supervisors and enumerators should not be appointed under the civil service law, for the reasons given by the Director. I commend to the Congress the careful consideration of the admirable report of the Director of the Census, and I trust that his recommendations will be adopted and immediate action thereon taken.

Public Health.
The dangers to public health from food adulteration and from many other sources, such as the menace to the physical, mental and moral development of children from child labor, should be met and overcome. There are numerous diseases, which are now known to be preventable, which are nevertheless, not prevented. The recent International Congress on Tuberculosis has made us painfully aware of the inadequacy of American public health legislation. This Nation can not afford to lag behind in the world-wide battle now being waged by all civilized people with the microscopic foes of mankind, nor ought we longer to ignore the reproach that this Government takes more pains to protect the lives of hogs and of cattle than of human beings. The first legislative step to be taken is that for the concentration of the proper bureaus into one of the existing departments. I therefore urgently recommend the passage of a bill which shall authorize a redistribution of the bureaus which shall best accomplish this end.

Government Printing Office.
I recommend that legislation be enacted placing under the jurisdiction of the Department of Commerce and Labor the Government Printing Office. At present this office is under the combined control, supervision, and administrative direction of the President and of the Joint Committee on Printing of the two Houses of the Congress. The advantage of having the 4,000 employees in this office and the expenditure of the \$5,761,377.57 appropriated therefor supervised by an executive department is obvious, instead of the present combined supervision.

Soldiers' Homes.
All Soldiers' Homes should be placed under the complete jurisdiction and control of the War Department. Economy and sound business policy require that all existing independent bureaus and commissions should be placed under the jurisdiction of appropriate executive departments. It is unwise from every standpoint, and results only in mischief, to have any executive work done save by the purely executive bodies, under the control of the President; and each such executive body should be under the immediate supervision of a Cabinet Minister.

STATEHOOD.
I ADVOCATE THE IMMEDIATE ADMISSION OF NEW MEXICO AND ARIZONA AS STATES. THIS SHOULD BE DONE AT THE PRESENT SESSION OF THE CONGRESS. THE PEOPLE OF THE TWO TERRITORIES HAVE MADE IT EVIDENT BY THEIR VOTES THAT THEY WILL NOT COME IN AS ONE STATE. THE ONLY ALTERNATIVE IS TO ADMIT THEM AS TWO. AND I TRUST THAT THIS WILL BE DONE WITHOUT DELAY.

Latin-American Republics.
The commercial and material progress of the twenty Latin-American Republics is worthy of the careful attention of the Congress. No other section of the world has shown a greater proportionate development of its foreign trade during the last ten years and none other has more special claims on the interest of the United States. It offers today probably larger opportunities for the legitimate expansion of our commerce than any other group of countries. These countries will want our products in greatly increased quantities, and we shall correspondingly need theirs. The International Bureau of the American Republics is doing a useful work in making these nations and their resources better known to us, and in acquainting them not only with us as a people and with our purposes towards them, but with what we have to exchange for their goods. It is an international institution supported by all the governments of the two Americas.

Panama Canal.
The work on the Panama Canal is being done with a speed, efficiency and entire devotion to duty, which make it a model for all work of the kind. No task of such magnitude has ever before been undertaken by any nation; and no task of the kind has ever been better performed. The men on the isthmus, from Colonel Goethals and his fellow commissioners through the entire list of employees who are faithfully doing their duty, have won their right to the ungrudging respect and gratitude of the American people.

Ocean Mail Lines.
I again recommend the extension of the ocean mail act of 1891 so that satisfactory American ocean mail lines to South America, Asia, the Philippines, and Australia may be established. The creation of such steamship lines should be the natural corollary of the voyage of the battle fleet. It should precede the opening of the Panama Canal.

Hawaii.
I call particular attention to the Territory of Hawaii. The importance of those islands is apparent, and the need of improving their condition and developing their resources is urgent. In recent years industrial conditions

upon the islands have radically changed. The importation of coolie labor has practically ceased, and there is now developing such a diversity in agricultural products as to make possible a change in the land conditions of the Territory, so that an opportunity may be given to the small land owner similar to that on the mainland. To aid these changes, the National Government must provide the necessary harbor improvements on each island, so that the agricultural products can be carried to the markets of the world. The coastwise shipping laws should be amended to meet the special needs of the islands, and the alien contract labor law should be so modified in its application to Hawaii as to enable American and European labor to be brought thither.

We have begun to improve Pearl Harbor for a naval base and to provide the necessary military fortifications for the protection of the islands but I can not too strongly emphasize the need of appropriations for these purposes of such an amount as will within the shortest possible time make these islands practically impregnable. It is useless to develop the industrial conditions of the islands and establish there bases of supply for our naval and merchant fleets unless we insure, as far as human ingenuity can, their safety from foreign seizure.

The Philippines.
Real progress toward self-government is being made in the Philippine Islands. Tact gathering of a Philippine legislative body and Philippine assembly marks a process absolutely new in Asia, not only as regards Asiatic colonies of European powers but as regards Asiatic possessions of other Asiatic powers; and, indeed, always excepting the striking and wonderful example afforded by the great Empire of Japan, it opens an entirely new departure when compared with anything which has happened among Asiatic powers which are their own masters. Hitherto the Philippine legislature has acted with moderation and self-restraint, and has seemed in practical fashion to realize the eternal truth that there must always be government and that the only way in which any body of individuals can escape the necessity of being governed by outsiders is to show that they are able to restrain themselves, to keep down wrongdoing and disorder. The Filipino people, through their officials, are therefore making real steps in the direction of self-government. All we can do is to give them the opportunity to develop the capacity for self-government. If we had followed the advice of the foolish doctrinaires who wished us at any time during the last ten years to turn the Filipino people adrift, we would have shirked the plainest possible duty and have inflicted a lasting wrong upon the Filipino people. We have acted in exactly the opposite spirit. We have given the Filipinos constitutional government; a government based upon justice; and we have shown that we have governed them for their good and not for our aggrandizement. At the present time, as during the past ten years, the inexorable logic of facts shows that this government must be supplied by us and not by them. We must be wise and generous; we must help the Filipinos to master the difficult art of self-control, which is simply another name for self-government. But we can not give them self-government save in the sense of governing them so that gradually they may, if they are able, learn to govern themselves.

Porto Rico.
I again recommend that American citizenship be conferred upon the people of Porto Rico. Cuba. In Cuba our occupancy will cease in about two months' time; the Cubans have in orderly manner elected their own governmental authorities, and the island will be turned over to them. Our occupancy on this occasion has lasted a little over two years, and Cuba has thrived and prospered under it. Our earnest hope and one desire is that the people of the island shall now govern themselves with justice, so that peace and order may be secure.

The Army.
As regards the Army I call attention to the fact that while our junior officers and enlisted men stand very high, the present system of promotion by seniority results in bringing into the higher grades many men of mediocre capacity who have but a short time to serve. No man should regard it as his vested right to rise to the highest rank in the Army any more than in any other profession. It is a curious and by no means creditable fact that there should be so often a failure on the part of the public and its representatives to understand the great need, from the standpoint of the service and the Nation, of refusing to promote respectable, elderly incompetents. The higher places should be given to the most deserving men without regard to seniority; at least seniority should be treated as only one consideration. In the stress of modern industrial competition no business firm could succeed if those responsible for its management were chosen simply on the ground that they were the oldest people in its employment; yet this is the course advocated as regards the army, and required by law for all grades except those of general officer. As a matter of fact, all of the best officers in the highest ranks of the army are those who have attained their present position wholly or in part by a process of selection.

The scope of retiring boards should be extended so that they could consider general unfitness to command for any cause, in order to secure a far more rigid enforcement than at present in the elimination of officers for mental, physical or temperamental disabilities. But this plan is recommended only if the Congress does not see fit to provide what in my judgment is far better; that is, for selection in promotion, and for elimination for age. Officers who fail to attain a certain rank by a certain age should be retired—for instance, if a man should not attain field rank by the time he is 45 he should of course be placed on the retired list. General officers should be selected as at present, and one-third of the other promo-

tions should be made by selection, the selection to be made by the President or the Secretary of War from a list of at least two candidates proposed for each vacancy by a board of officers from the arm of the service from which the promotion is to be made. A bill is now before the Congress having for its object to secure the promotion of officers to various grades at reasonable ages through a process of selection, by boards of officers, of the least efficient for retirement with a percentage of their pay depending upon length of service. The bill, although not accomplishing all that should be done, is a long step in the right direction; and I earnestly commend its passage, or that of a more completely effective measure.

The cavalry arm should be reorganized upon modern lines. This is an arm in which it is peculiarly necessary that the field officers should not be old. The cavalry is much more difficult to form than infantry, and it should be kept up to the maximum both in efficiency and in strength, for it can not be made in a hurry. At present both infantry and artillery are too few in number for our needs. Especial attention should be paid to development of the machine gun. A general service corps should be established. As things are now the average soldier has far too much labor of a nonmilitary character to perform.

National Guard.
Now that the organized militia, the National Guard, has been incorporated with the army as a part of the national forces, it behooves the Government to do every reasonable thing in its power to perfect its efficiency. It should be assisted in its instruction and otherwise aided more liberally than heretofore. The continuous services of many well-trained regular officers must be especially trained at service schools best to qualify them as instructors of the National Guard. But the detailing of officers for training at the service schools and for duty with National Guard entails detaching them from their regiments which are already greatly depleted by detachment of officers for assignment to duties prescribed by acts of the Congress.

A bill is now pending before the Congress creating a number of extra officers in the army, which if passed, as it ought to be, will enable more officers to be trained as instructors of National Guard and assigned to that duty. In case of war it will be of the utmost importance to have a large number of trained officers to use for turning raw levies into good troops.

There should be legislation to provide a complete plan for organizing the great body of volunteers behind the regular army and national guard when war has come. Congressional assistance should be given those who are endeavoring to promote rifle practice so that our men, in the services or out of them, may know how to use the rifle. While teams representing the United States won the rifle and revolver championships of the world against all comers in England this year, it is unfortunately true that the great body of our citizens shoot less and less as time goes on. To meet this we should encourage rifle practice among schoolboys, and indeed among all classes, as well as in the military service, by every means in our power. Thus, and not otherwise, may we be able to assist in preserving the peace of the world. Fit to hold our own against the strong nations of the earth, our voice for peace will carry to the ends of the earth. Unprepared, and therefore unfit, we must sit dumb and helpless to defend ourselves, protect others, or preserve peace. The first step—in the direction of preparation to avert war if possible, and to be fit for war if it should come—is to teach our men to shoot.

The Navy.
I approve the recommendations of the General Board for the increase of the Navy, calling especial attention to the need of additional destroyers and colliers, and above all, of the four battleships. It is desirable to complete as soon as possible a squadron of eight battleships of the best existing type. The North Dakota, Delaware, Florida, and Utah will form the first division of this squadron. The four vessels proposed will form the second division. It will be an improvement on the first, the ships being of the heavy, single calibre, all big gun type. All the vessels should have the same tactical qualities, that is, speed and turning circle, and as near as possible these tactical qualities should be the same as in the four vessels before named now being built.

I most earnestly recommend that the General Board be by law turned into a General Staff. There is literally no excuse whatever for continuing the present bureau organization of the Navy. The Navy should be treated as a purely military organization, and everything should be subordinated to the one object of securing military efficiency. Such military efficiency can only be guaranteed in time of war if there is the most thorough preparation in time of peace—a preparation, I may add, which will in all probability prevent any need of war. The Secretary must be supreme, and he should have as his advisers a body of line officers who should themselves have the power to pass upon and coordinate all the work and all the proposals of the several bureaus. A system of promotion by merit, either by selection or by exclusion, or by both processes, should be introduced. It is out of the question, if the present principle of promotion by mere seniority is kept, to expect to get the best results from the higher officers. Our men come too old, and stay for too short a time, in the high command positions.

Two hospital ships should be provided. The actual experience of the hospital ship with the fleet in the Pacific has shown the invaluable work which such a ship does, and has also proved that it is well to have it kept under the command of a medical officer. As was to be expected, all of the anticipations of trouble from such a command have proved completely baseless. It is as absurd to put a hospital ship under a line officer as it would be to put a hospital on shore

under such a command. This ought to have been realized before, and there is no excuse for failure to realize it now.

Nothing has ever for the Navy from every standpoint has ever occurred than the cruise of the battle fleet around the world. The improvement of the ships in every way has been extraordinary, and they have gained far more experience in battle tactics than they would have gained if they had stayed in the Atlantic waters. The American people have cause for profound gratification, both in view of the excellent condition of the fleet as shown by this cruise, and in view of the improvement the cruise has worked in this already high condition. I do not believe that there is any other service in the world in which the average of character and efficiency in the enlisted men is as high as is now the case in our own.

THEODORE ROOSEVELT
The White House,
Tuesday, December 8, 1908.

JUDGE SENTENCES FRANK SPENCE TO GALLOWS

(From Wednesday's Daily)

"Well, I would say, I don't think I had a fair trial."
This was the only statement made yesterday morning by Frank Spence, condemned to die for the murder of Edgar R. Sullivan, when asked by Judge Sloan in the district court: "What have you to say now why the judgment of the court should not be pronounced?"

When Spence was arraigned for sentence, his attorney, James Loy, filed a motion for a new trial, supported by a brief argument, the main feature of which was that the verdict of the jury was not supported by the evidence. He claimed that nothing in the evidence proved that the terrible deed was premeditated by his client. The court decided that the defendant had a fair trial and that the issues had been fairly presented and overruled the motion. A motion by Attorney Loy for an arrest of judgment on the ground that the indictment did not conform to particular sections of the statutes was also overruled. The court then ordered Spence to stand up, addressing him as follows:

"You were indicted at this term of court, charged with the murder of one Edgar R. Sullivan. You were arraigned as provided by law and upon the arraignment you entered a plea of not guilty. You were afterwards tried by a lawful jury which found you guilty of murder in the first degree. What have you to say now why the judgment of the court should not be pronounced?"

After answering, "Well, I would say I don't think I had a fair trial," Spence closed his lips.

After a short pause the court then asked, "Is there anything else?"

Spence answered, "That's all."

Judge Sloan then proceeded: "The judgment of the court is that you are guilty of the crime of murder in the first degree and that in accordance with the recommendation of the jury, you on Friday, the second day of February of the year 1909, between the hours of 10 o'clock a. m. and 2 o'clock p. m. of that day, at a place provided by law for that purpose as the discretion of the proper officer shall fix, suffer the death penalty, in the manner provided by law, by being hanged by the neck until you are dead."

At the conclusion of the sentence Spence sat back in his chair. The pallor of his countenance was never relieved by a blush during the proceedings, during which every minute of the time he was the center of all eyes in the crowded courtroom. His eyes looked towards the floor as he was escorted out of the courtroom by the sheriff and deputies, condemned to pay the extreme penalty of the law for shooting out the life of another.

The remainder of the day's session was occupied in the selection of a jury for the trial of E. D. Hurley, indicted for the murder of Frederick J. Conroy, May 14, 1908, one mile south of the Copper Chief mine in the Black Hills range.

After failing to agree on a verdict after deliberating twenty-five hours, the jury in the case of Garfield Ferrell, indicted for battery on Naomi Schaur, a six-year-old girl of Seligmans, was called into the courtroom at 4:30 o'clock and excused until this morning.

JOHN CHISHOLM DIES.

(From Thursday's Daily)

A telegram was received here yesterday from Cotulla, Texas, announcing the death in that place of John Chisholm, a former resident of this city and Humboldt. The telegram stated that Chisholm probably committed suicide. No details were given.

He was 48 years of age and a native of Canada. He was a millwright by occupation. He superintended the woodwork construction of the Humboldt smelters, the concentrating plant at Humboldt and the Blue Bell tramway. He left here a year ago for Mexico in the employ of the Tezuitlan Copper Company as constructing engineer. He superintended the construction of a large reduction plant for the company 30 miles from Pueblo, Mexico. He was attacked by a fever peculiar to the climate of the place, and resigned his position. He left there a month ago for Texas.

Surviving he leaves a wife and several children of tender years residing in the province of Quebec, Canada.

He was recognized among the best constructors of mining and reduction plants on the Pacific coast. He was a member of Prescott Lodge No. 830, B. P. O. E. The funeral will be held under the auspices of the order.

TESTIMONY SHOWS CONROY WAS SHOT IN THE BACK

(From Thursday's Daily)

That Fred J. Conroy was shot in the back was established yesterday by the testimony of the only three witnesses examined in the district court in the trial of the case of E. D. Hurley, indicted for the murder of Conroy, who was shot and killed near Hurley's house a mile south of the Copper Chief mine, May 14, 1908.

The examination of Mrs. Conroy, wife of deceased, lasted from the opening of court at 9:30 o'clock until 3:30 o'clock in the afternoon. She described how she heard the shots, one of which undoubtedly caused the death of her husband, and of going in the direction of the sound of the shots and finding his fatally wounded.

She also testified that on the evening before the shooting of her husband she and felt a cold blast of wind pass her face while searching for lost goats on the hillside, 500 yards from Hurley's house, and on looking in the direction of the Hurley place seeing Hurley with a smoking rifle in his hand. She did not know at the time the cause of the cold blast of wind passing her face, but seeing the smoking gun in Hurley's hand realized that he had shot at her. She admitted that she was not afraid of Hurley at the time but later realized her danger.

She told of finding her husband mortally wounded after the shooting within 150 yards of Hurley's house from a bullet that entered his back almost underneath the right shoulder blade. She also told of how she, her deceased husband and children had herded their flock of goats away from the vicinity of Hurley's camp the four or five years preceding the shooting and of Hurley claiming that no one had any right to graze goats on his mining claims, although her husband had paid the grazing tax to the national forest officials for their flock. She said that Hurley claimed several mining claims covering the mountain almost to the door of their home, although he had not done any work on them for some years.

Her testimony of hearing the shots and finding her husband mortally wounded was corroborated by J. S. Sinclair, general manager of the Jerome Verde Mining Company and Arthur Hendey, general manager of the Copper Chief Mining Company, who were the first to arrive at the scene of the shooting.

Sinclair testified that on the morning of the shooting, a few minutes before 8 o'clock, while walking on the south side of his house, a half mile distant from Hurley's, hearing four or five shots. The sounds came from the direction of the Hurley place. He walked into his house and getting his field glasses went through the north door. While adjusting the field glasses five or six shots were fired apparently in the vicinity of the Hurley place.

On looking in that direction he saw a horse galloping but did not see any person. He saddled his mule a short time afterwards and rode to a claim where Conroy and another man worked. Arriving there he learned from his other employe that Conroy had not arrived. He rode to the Hurley place and arriving near the house was hailed by Hurley and Mrs. Conroy.

Hurley was near his house, apparently drying his hands with a towel. Mrs. Conroy was on the hillside about sixty yards distant from the Hurley place in the direction of where her dead husband lay. Mrs. Conroy asked the witness to ride to the Hendey place and telephone to Jerome that her husband had been killed.

Hurley requested witness to telephone to Fred Hawkins, marshal of Jerome, to come out and bring a doctor with him. Sinclair did as requested and on arriving on the saddle overlooking the Hendey place saw Arthur Hendey starting his automobile preparatory to leaving for Jerome. He shouted to Hendey to wait and on meeting Hendey informed him that Conroy was dead. He admitted that he was not aware that Hurley was wounded at this time. Hendey immediately crossed the hill to the scene of the shooting by a trail and witness rode back over the road, after getting a quilt to protect the dead body of Conroy from the sun until the arrival of the coroner's jury.

He covered the body and at the request of Mrs. Conroy left to notify two of her children who were herding the goat flock on another hill.

Witness Sinclair's statements were corroborated by Arthur Hendey, who testified to having assisted a Jerome physician dressing Hurley's wounds later in the day. Hurley was wounded apparently with No. 1 buckshot in the left arm, the left knee, and in two places on the fleshy part of the left thigh. He also corroborated the statement of Sinclair that Conroy had been shot in the back under the right shoulder blade and on seeing a bluish mark on Conroy's breast, slightly raised, apparently made by the bullet which did not pass through the body.

An adjournment was taken until 9 o'clock this morning.

PROBATE COURT.

A. A. Moore, T. B. Carter and S. M. Waterman were appointed appraisers of the estate of George Jackson, deceased, in the probate court yesterday.

The inventory and appraisal of the estate was returned, filed and recorded. The estate consists of 160 acres of land in the Walnut Grove district valued at \$2,500.

Notice to creditors was ordered published in the same estate.